



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,695	04/30/2001	Daiki Tsukahara	032480.01	3433
25944	7590	05/05/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			HO, TUAN V	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,695

Applicant(s)

TSUKAHARA ET AL.

Examiner

Tuan V. Ho

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-28 is/are pending in the application.
- 4a) Of the above claim(s) 5-9 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-28 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/007,067.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/3/01</u> . | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2615

1. Applicants' election with traverse of the Species of Fig. 14, claims 10-12 and 14-28 in Paper filed on 12/1/04 is acknowledged. Thus, claims 5-9 and 13 are withdrawn from further consideration on the merits. The traversal is on the ground(s) that "a search and examination of the entire application could be performed without serious burden" in page 7 of the remarks. This is not found persuasive because 1) the search for the Species of Figs. 1 and 4, claims 5-9, is a serious burden to the examiner since one of the camera bodies recites a detailed housing of a grip projection on the body; and 2) Applicants do not show any evidence that the search for claims of the Species of Figs. 1 and 4 is not a serious burden to the examiner.

The requirement is still deemed proper and is therefore made FINAL.

2. This application is in condition for allowance except for the presence of claims 5-9 to an invention non-elected with traverse in the reply filed on 12/01/04. Applicant is given TWO MONTH from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of

Art Unit: 2615

time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

4. This application is in condition for allowance except for the following formal matters:

1) The drawings are objected to because Figs. 1-19 contain hand- writing letters. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures

Art Unit: 2615

must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2) The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

5. Claim 10 is generic and allowable. Accordingly, the restriction requirement as to the encompassed species is hereby withdrawn and claim 13 is directed to the species of Figs 1 and 4 no longer withdrawn from consideration since all of the claims

Art Unit: 2615

to this species depend from or otherwise include each of the limitations of an allowed generic claim.

6. Claims 10-28 are allowed.

The prior art of record fails to suggest or disclose:

With regard to claim 10, an electronic camera, comprising: a first main body section and a second main body section, said first and second main body sections each having upper and lower surfaces delimited by first and second edges, front and rear surfaces delimited by the first edges and third edges, and right and left surfaces delimited by the second and third edges, respectively, said first and second main bodies having approximately the same size and being rotatably coupled to each other by respective light and left surfaces thereof in combination with other claimed elements.

With regard to claim 18, an electronic camera comprising: said first side face rotatably coupled to said second side face so that said display unit main body and said imaging unit main body are rotatable relative to each other about an axis of rotation; and a lens unit and an optical viewfinder unit in the imaging unit main body, each having an optical axis parallel to the first side face, and lined up in order from said first side face toward an opposing side face that faces in an opposite

Art Unit: 2615

direction than said first side face in combination with other claimed elements.

With regard to claim 25, an electronic camera comprising: said first side face rotatably coupled to said second side face so that said display unit main body and said imaging unit main body are rotatable relative to each other about an axis of rotation; and a rotary operation member on a portion of said second face of said display unit main body that is located adjacent to an opposing side face of said display unit main body that faces in an opposite direction than said second side face in combination with other claimed elements.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Okada et al discloses an electronic camera that includes an exposure dial button located on the camera body.

Miyata et al discloses an electronic camera that includes a rotatable lens.

Shiga discloses a digital camera that includes two different camera bodies rotatable around an axis.

Takagi et al discloses a video camera that includes a rotatable display.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO

Art Unit: 2615

whose telephone number is (571) 272-7365. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, JIM GROODY can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600.



TUAN HO

Primary Examiner

Art Unit 2615